

**Carlos Hernández**  
Mayor

**Luis Gonzalez**  
Council President

**Katharine E. Cue-Fuente**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Isis Garcia-Martinez**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Agenda July 12, 2016 7:00 P.M.

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Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance led by Councilman Caragol

### **Meeting Guidelines**

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations –

1) Swearing-In Ceremony for the following new Hialeah Police Officers:

- Denise Bremer-Johnson
- Waking Deybis Obas
- Felix Elias Hernandez
- Carlos Sanchez
- Omar Mijares
- Jesse Elrod

2) The following Hialeah Police Officers are recognized for their achievements:

- Detective Carlos Garcia – Runner-up for the 2015 PBA Officer of the Year award.
- Detective Yerani Mirabal – Winner of the Miami-Dade County Chiefs of Police Association Officer of the Month of February 2016.
- Sergeant Luis Garcia and Detective Luis Rivera – Winners of the Miami-Dade County Chiefs of Police Association Officer of the Month of May 2016.
- The entire Hialeah Police Robbery Unit for their successful criminal apprehension rate which is much higher than the national average.

3) Presentation by Mayor Hernandez to Oscar Elias Biscet of a proclamation proclaiming July 12, 2016 as Oscar Elias Biscet Day in Hialeah.

1. Announcement of Amendments/Corrections to the Agenda –

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on June 28, 2016. (OFFICE OF THE CITY CLERK)
- B. Request permission to issue a purchase order to Hazen and Sawyer, P.C., one of the firms approved by the City Council on June 8, 2010 for City engineering services, for services for phase 10 of the sewer rehabilitation phase – Infiltration and Inflow Reduction Program, which addresses approximately 54,000 linear feet of lining, in a total cumulative amount not to exceed \$338,600. (DEPT. OF PUBLIC WORKS)
- C. Proposed resolution approving a professional services agreement with Giving Tree Music, Inc. to provide classroom instruction to participants of the Creative Learning and Play Summer Program, together with supplies, for a term commencing on June 1, 2016 and ending on July 31, 2016, in an amount not to exceed \$15,000, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION & COMMUNITY SERVICES DEPT.)
- D. Proposed resolution approving a professional services agreement with Mind Lab South Florida, LLC to provide classroom instruction to the participants of the Young Leaders with Character Steam Ahead After-School and Summer Programs, together with supplies, for a term commencing on August 1, 2015 and ending on August 31, 2016, in an amount not to exceed \$2,480.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the city, to execute the professional services agreement attached hereto in

substantial form, and made a part hereof as Exhibit “1”. (EDUCATION & COMMUNITY SERVICES DEPT.)

- E.** Proposed resolution approving a professional services agreement with Common Threads, Inc. to provide dynamic hands on cooking classes to students in grades 6<sup>th</sup> to 12<sup>th</sup>, commencing on June 15, 2016 and ending on July 31, 2016, in an amount not to exceed \$4,008.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION & COMMUNITY SERVICES DEPT.)
- F.** Proposed resolution approving a professional services agreement with Common Threads, Inc. to provide dynamic hands on cooking classes to students in grades 6<sup>th</sup> to 8<sup>th</sup>, commencing on June 14, 2016 and ending on July 31, 2016, in an amount not to exceed \$2,104.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION & COMMUNITY SERVICES DEPT.)
- G.** Request permission to increase purchase order # 2016-1638, issued to Florida Municipal Marketing, LLC, to allow the City to make payment to this vendor for fulfilling contractual obligations and for negotiating several partnership agreements, by an additional amount of \$35,550, for a new total cumulative amount not to exceed \$50,450. (EDUCATION & COMMUNITY SERVICES DEPT.)
- H.** Proposed resolution approving and ratifying a grant agreement between the City and the United States Department of Homeland Security, Federal Emergency Management Agency (FEMA), for a direct award in the amount of \$428,234.00, with a 10% matching requirement in the amount of \$42,823.00, for a total project cost of \$471,057.00, under the Fiscal Year 2015 Assistance to Firefighters Grant Program, to be utilized for the purchase of firefighting equipment and facility modifications. (FIRE DEPT.)
- I.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2016-796, issued to Miami-Hialeah Medical Group, Inc., to provide pre-employment examinations for new hires, by an additional amount of \$5,000, for a total new cumulative amount not to exceed \$20,000. (HUMAN RESOURCES DEPT.)
- J.** Proposed resolution of the approving an agreement with West Publishing Corporation for a term of three years, beginning on July 1, 2016 and ending on June 30, 2019, for a monthly payment of \$3,201.00 for the first year, and a three percent increase each subsequent year, granting access to attorneys and staff in the Office of the City Attorney to West’s Select Database of Legal Publications for the purpose of conducting legal research; authorizing the Mayor or his designee to execute a tree planting agreement, a copy of which is attached hereto as Exhibit 1, and all other agreements, documents or subcontracts in furtherance thereof; and providing for an effective date. (LAW DEPT.)
- K.** Request permission to issue a purchase order to Hawkins Delafield & Wood LLLP, for anticipated costs to be paid in connection with legal representation for the design/construction/operation of the Reverse Osmosis Water Treatment Plant, including but

not limited to, post-contract issues that have arisen during the completion of the construction phase of the Reverse Osmosis Water Treatment Plant, by an additional amount of \$49,382.62. (LAW DEPT.)

- L. Request permission to increase purchase order # 2015-811, issued to Visualscape, Inc., for additional landscape material required due to the increased amount of art sculptures placed throughout the Garden of the Arts, by an additional amount of \$60,000, for a new total cumulative amount not to exceed \$690,300. This vendor was awarded Hialeah Bid # 2014/15-3230-00-020-*Cultural Park-Landscaping* on November 13, 2014 by the City Council in a total cumulative amount not to exceed \$545,340. (DEPT. OF PARKS & RECREATION)
- M. Proposed resolution accepting a matching grant award from Miami-Dade County Parks, Recreation and Open Spaces Department in the amount of \$12,500.00 for planting trees on the public right of ways along West 24 Avenue, from West 68 Street to West 76 Street, and along West 76 Street, from West 24 Avenue to West 28 Avenue; further authorizing the Mayor or his designee to execute a tree planting agreement, a copy of which is attached hereto as Exhibit 1, and all other agreements, documents or subcontracts in furtherance thereof; and providing for an effective date. (STREET DEPT.)
- N. Proposed resolution approving the expenditure totaling an amount not to exceed eleven thousand five hundred dollars (\$11,500.00) from the Law Enforcement Trust Fund – *Federal*, to purchase one (1) K-9 dog for the Hialeah Police Department Canine Unit from Metro-Dade K-9 Services, and waiving competitive bidding as it is advantageous to the City, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- O. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to HD Supply Waterworks, LTD., to purchase water meters and replacement parts, in a total cumulative amount not to exceed \$30,000. (DEPT. OF PUBLIC WORKS)
- P. Request permission to waive competitive bidding, since it is advantageous to the City due to this vendor's familiarity with the printing requirements of the City's Department of Public Works, and increase purchase order # 2016-1142, issued to Olmedo Printing Corporation, for printing services including the printing of utility bills, envelopes and the annual Water Quality Report, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$80,000. (DEPT. OF PUBLIC WORKS)
- Q. Request permission to increase purchase order # 2016-24, issued to Sensus USA Inc., sole source supplier of meters used by the City's Department of Public Works, its components and parts, to purchase water meters and replacement parts, by an additional amount of \$35,000, for a new total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
- R. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the original designer and contractor of the well buildings, and issue a purchase order to AECOM Infrastructure, Inc., for the design and construction of the four (4) Graham Well Buildings, in a total cumulative amount not to exceed \$2,400,000. (DEPT. OF PUBLIC WORKS)

- S.** Request permission to issue a purchase order to The Louis Berger Group, Inc., formerly known as R.W. Beck, Inc., vendor approved by the City's Selection Committee in 2010 for engineering services, to provide assistance with program management services for the project through the completion of the Graham Production Wells, the Design Build Operate Capacity Demonstration Test, and project closeout, in a total cumulative amount not to exceed \$349,580. (DEPT. OF PUBLIC WORKS)
- T.** Request permission to issue a purchase order to Parsons Water & Infrastructure Inc., to provide assistance during the construction of well buildings 8, 9, 12 and 13 and roadway to the water treatment plant, with the scope of the work consisting of project management and technical engineering support services, in the amount of \$113,100, and construction engineering and inspection services, in the amount of \$392,080, for a total cumulative amount not to exceed \$505,180. (DEPT. OF PUBLIC WORKS)
- U.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Garden Techs Landscaping Contractor & Property Maintenance Inc., vendor providing the lowest quotation, for tree removal and landscaping services, in a total cumulative amount not to exceed \$7,690. (STREETS DEPT.)
- V.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Flower Breeze Corp, vendor providing the lowest quotation, for tree trimming and removal services, in a total cumulative amount not to exceed \$5,760. (STREETS DEPT.)
- W.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to P & J Striping Inc., vendor providing the lowest estimate, for striping services at the following locations: West 10<sup>th</sup> Court and West 40<sup>th</sup> Place; West 10<sup>th</sup> Court and West 42<sup>nd</sup> Street; East 4<sup>th</sup> Avenue and East 17 Street; West 18<sup>th</sup> Avenue and West 35<sup>th</sup> Street; and West 46<sup>th</sup> through 47<sup>th</sup> Place from 12<sup>th</sup> through 13<sup>th</sup> Lane, in a total cumulative amount not to exceed \$4,513.72. (STREETS DEPT.)
- X.** Request permission to waive competitive bidding, since it is advantageous to the City in that this is the contractor that is working on this project for the Department of Transportation, and issue a purchase order to Condotte/De Moya JV, LLC, to relocate the existing sanitary sewer line that is along West 20<sup>th</sup> Avenue between West 41<sup>st</sup> Street and West 44<sup>th</sup> Place along the east side of the Palmetto, in a total cumulative amount not to exceed \$349,718.33. (DEPT. OF PUBLIC WORKS)
- Y.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has worked for the City in pipe relocation and is familiar with the practices and standards, and issue a purchase order to E & M Equipment Corp, to perform the 16 inch asbestos pipe repair at West 4<sup>th</sup> Avenue and 65<sup>th</sup> Street, including exploratory digging to locate the damaged pipe, in a total cumulative amount not to exceed \$49,377.55. (DEPT. OF PUBLIC WORKS)
- Z.** Request permission to approve Amendment No. 2 to the service contract for the design, construction and operation of the City of Hialeah Reverse Osmosis Water Treatment Facility

between the City of Hialeah and GS Inima USA Construction Corporation, formerly known as Inima USA Construction Corporation dated August 18, 2010 to: (1) memorialize the agreement of the parties with respect to the completion of the City project improvements and the company's remaining design-build period responsibilities, including the company's remaining obligations in order to achieve acceptance; (2) provide for full settlement of certain claims between the parties as specified in Amendment No. 2; (3) make certain adjustments to Table 15-2 to conform to the requirements of applicable law; (4) address all issues associated with the removal of the Graham Wells and Pipelines from the scope of the design-build work and their subsequent incorporation into the project; (5) establish an operation period commencement date to commence the operation period independent of the achievement of acceptance; and (6) make all corresponding changes to the service contract as specified in Amendment No. 2. (DEPT. OF PUBLIC WORKS)

- AA.** Request permission to award Hialeah Bid # 2015-16-9500-00-016 – *Solid Waste Disposal Services* to Progressive Waste Solutions of FL, Inc., responsible and responsive bidder offering the lowest net cost for the disposal of the City's Class I Waste, in a total cumulative amount not to exceed \$1,266,767. (DEPT. OF PUBLIC WORKS)
- BB.** Request permission to award Request for Proposal # 2015/16-8500-36-002 – *Disaster Recovery and Debris Removal Services*, to all four (4) competing companies: Ash Britt Environmental, Ceres Environmental Services, DRC Emergency Services, and TAG Grinding Services, and award and assign work in accordance with their ranking as provided by the Request for Proposal. (EMERGENCY MANAGEMENT DEPT.)
- CC.** Request permission to exercise a one (1) year extension to the agreement with Tidal Basin Government Consulting, LLC, for emergency debris management services, with the services being paid for by the City at the rates listed in Exhibit "C" – Productive Hourly Rates of the agreement. On August 11, 2015, the City Council approved to utilize City of Miami Beach Contract for Emergency Management Administrative Support Services (RFP # 65-2013TC), a competitively bid governmental contract, and enter into an agreement with Tidal Basin Government Consulting, LLC, for an initial term of one (1) year, for emergency management administrative support services. (DEPT. OF EMERGENCY MANAGEMENT)
- DD.** Approval of settlement of lawsuit filed by the Florida Public Employees Council 79, AFSCME, AFL-CIO vs. City of Hialeah. (LAW DEPT.)

**4.** Board Appointments -

**5.** Unfinished Business -

**6.** New Business -

**7.** Comments and Questions-

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**Attention Applicants:** Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

### **ZONING**

- PZ 1.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking). **Property located at 562 East 26<sup>th</sup> Street, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Representative: Melissa Tapanes Llahue, Esq. on behalf of Hialeah R.E. Investments LLC*)

<i>Item was approved on first reading by the City Council on June 28, 2016. Second reading and public hearing was scheduled for July 12, 2016</i>
<i>Registered Lobbyist: Melissa Tapanes Llahue, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131.</i>
<i>Property Owner: Hialeah R.E. Investments LLC</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on June 22, 2016.</i>

- PZ 2.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking). **Property located at 559 East 24<sup>th</sup> Street, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Melissa Tapanes Llahues on behalf of Leon Medical Centers, Inc.*)

<i>Item was approved on first reading by the City Council on June 28, 2016. Second reading and public hearing was scheduled for July 12, 2016</i>
<i>Registered Lobbyist: Melissa Tapanes Llahue, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131.</i>
<i>Property Owner: Leon Medical Centers, Inc.</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on June 22, 2016.</i>

**NEXT CITY COUNCIL MEETING: Tuesday, August 9, 2016 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 23, 2016 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).